

Notice of Allowability

Application No.

09/931,040

Examiner

Mohamed Charioui

Applicant(s)

ASPHAHANI ET AL.

Art Unit

2857

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/26/04.
2. ☒ The allowed claim(s) is/are 1-24, 26-30 and 32-43, renumbered.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☒ to Paper No./Mail Date 4.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

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1. Applicant canceled claims 25 and 31.

Allowable Subject Matter

2. **Claims 1-24, 26-30 and 32-43** are allowed.

The following is an examiner's statement of reasons for allowance:

Regarding claims 1-24 and 26-29, none of the prior art of record teaches or suggests a lower shank motion collection unit having at least one accelerometer sensor and at least one rate sensor; a detachable processing unit in electrical communication with the plantar pressure collection unit, the rearfoot motion collection unit, and the lower shank motion collection unit, and that detachable processing unit is for processing data from a plurality of the accelerometers and the sensors, in combination with the rest of the claim limitations.

Regarding claims 30 and 32-35, none of the prior art of record teaches or suggests that the detachable processing unit being configured for processing data from the plantar pressure collection unit and a rearfoot motion collection unit having at least one accelerometer sensor and a plurality of rate sensors to calculate rearfoot kinematic data crucial to identify the motions of pronation and supination, the detachable processing unit further being in electrical communication with the rearfoot motion collection unit and that the detachable processing unit being further configured for processing data from the at least one accelerometer sensor and the plurality of rate sensors.

Regarding claims 36-41, none of the prior art of record teaches or suggests a detachable processing unit in electrical communication with the

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plantar pressure collection unit, the data from the plantar pressure collection unit being normalized by body weight calibration and displaying on an CD visual display unit in communication with the detachable processing unit vital gait information that comprises over-pronate, supinate and neutral plantar pressure/distribution and amount of eversion/inversion angle of the user's foot, in combination with the rest of the claim limitations.

Regarding claims 42 and 43, none of the prior art of record teaches or suggests a plantar pressure collection unit positioned between a plantar pressure collection unit having four sensor resistors and pressure sensors along a first phalange, a second phalange, a third phalange, a fourth phalange in the forefoot, along a first metatarsal head, a second metatarsal head and a fourth metatarsal head in the forefoot, along a first metatarsal base, a fourth metatarsal base and a fifth metatarsal base in the midfoot, underneath a distal portion of a medial and lateral side of a calcaneus in the midfoot, and at the medial and lateral surfaces of a calcaneus in the rearfoot, to provide accurate measurement of maximum pressure, mean pressure, and the center of pressure line, a detachable processing unit in electrical communication with the plantar pressure collection unit, the detachable processing unit being configured for processing data from the plantar pressure collection unit, and a visual display unit in electrical communication with the detachable processing unit for displaying the data processed by the processing unit, in combination with the rest of the claim limitations.

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3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact information


4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohamed Charioui whose telephone number is (571) 272-2213. The examiner can normally be reached Monday through Friday, from 9 am to 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc S Hoff can be reached on (571) 272-2216. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mohamed Charioui

8/14/04


MARC S. HOFF
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800